

**\*E-FILED - 8/2/10\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11	RANDALL DEAN HOLMES,	)	No. C 09-3259 RMW (PR)
12	Plaintiff,	)	ORDER OF DISMISSAL
13	v.	)	
14	D. CASTELLAW, Warden; et al.,	)	
15	Defendants.	)	

---

17 Plaintiff filed a pro se civil rights action pursuant to 42 U.S.C. § 1983. On March 23,  
18 2010, the court granted defendants an extension of time to file a dispositive motion. On March  
19 25, 2010, the court ordered plaintiff to locate unserved defendants. On April 23, 2010 and April  
20 26, 2010, mail sent to plaintiff by the court was returned to the clerk of the court with a notation  
21 that it was undeliverable as addressed and it was unable to be forwarded. As of the date of this  
22 order, plaintiff has not updated his address with the court nor submitted any further pleadings in  
23 this case.

24 Pursuant to Northern District Local Rule 3-11 a party proceeding pro se whose address  
25 changes while an action is pending must promptly file a notice of change of address specifying  
26 the new address. See L.R. 3-11(a). The court may, without prejudice, dismiss a complaint  
27 when: (1) mail directed to the pro se party by the court has been returned to the court as not  
28 deliverable, and (2) the court fails to receive within sixty days of this return a written

1 communication from the pro se party indicating a current address. See L.R. 3-11(b). More than  
2 sixty days have passed since the mail sent to plaintiff by the court was returned as undeliverable.  
3 The court has not received any notice from plaintiff updating his address. Accordingly, the  
4 instant complaint is DISMISSED without prejudice pursuant to Rule 3-11 of the Northern  
5 District Local Rules. The clerk of the court shall terminate all pending motions and close the  
6 file.

7 IT IS SO ORDERED.

8 DATED: 7/30/10

  
RONALD M. WHYTE  
United States District Judge